



Newsletter 3/2017 May – June

This is the Portuguese Ombudsman's newsletter in which it's presented its activities in May and June.

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The Portuguese Ombudsman' parliamentary hearing

On June 14th the Portuguese Ombudsman was heard in the Committee on Constitutional Affairs, Rights, Freedoms and Guarantees regarding the 2016 Report to the Parliament presented to the Parliament President.





The Portuguese Ombudsman traditional activity

The development of the Portuguese Ombudsman traditional activity is mainly substantiated by procedures that comes from citizen's complaints or are open by its own initiative, instructed and analyzed every day.

Constitutional Court ruled on the petition presented by the Portuguese Ombudsman

The Constitutional Court, through the Decree No. 244/2017, of May 17, 2017, claimed not to know the subject of the request for the successive abstract supervision formulated by the Portuguese Ombudsman, motivated by the amendment of the Law No. 40-A/2016, of December 22nd. This change was convergent with the concerns that dictated the initiative of this body of State.

The Portuguese Ombudsman defends the rights of banned or expelled clients from accessing casinos

The Secretary of State for Tourism is committed to strengthen, in the context of the revision of the Gaming Law, the rights recognized to casino clients who are expelled or forbidden to enter the casinos.

In the context of the examination of a complaint, the Portuguese Ombudsman concluded that the right to information and the right of defense of those who were expelled or banned from entering the casinos were not adequately guaranteed.

During the revision process, the Lisbon's City Hall undertook the task of amending the norms of the Municipal Plan

The Portuguese Ombudsman's Recommendation No. 5/A/2016 addressed to the Lisbon City Hall was partially accepted.

As a response to the Recommendation, the City Hall recognized that it is necessary to ensure the clarity, rigor and objectivity of the Municipal Plan norms. The criteria will be added into the norms, in a way they are not too abstract or uncertain, in order to guarantee the predictability of their application and the confidence of the citizens. The City Hall also recognized the insufficiency of parking places in the area of the Museum of Art, Architecture and Technology, and reported that there are efforts being made to reduce this problem.



The Portuguese Ombudsman, prisons and the 21st century: visits diary

Last year the Portuguese Ombudsman started to visit the Portuguese prisons under the project *The Portuguese Ombudsman, prisons and the 21st century: visits diary*. In this newsletter timeframe, the Portuguese Ombudsman published four visit reports, visited personally by the Ombudsman and without previous notice: the *Tomar Military Prison* (December 7th), *São João de Deus Prison* (January 17th), *Pinheiro da Cruz Prison* (March 15th) and the *Oporto Prison* (April 20th).

The citizens can monitor this project throughout the reports available in the institutional website.

This project ended with the conference *As prisões e o século XXI*, held on June 7th, with the support of the Calouste Gulbenkian Foundation.

The Portuguese Ombudsman as National Human Rights Institution

Commemorative dates

As National Human Rights Institution, the Portuguese Ombudsman points out, through various initiatives and messages available on its institutional website, some evocative dates. Within this newsletter' timeframe were celebrated the following dates: *World Day for Cultural Diversity for Dialogue and Development* (May 19th), *World Children's Day* (June 1st), *World Day Against Child Labour* (June 12th), *World Elder Abuse Awareness Day* (June 14th), *World Refugee Day* (June 20th) and the *International Day in Support of Victims of Torture* (June 26th).

Other messages from the Portuguese Ombudsman

On June 19th the Portuguese Ombudsman, in a message published on the institutional website and Facebook page, expressed its deep regret for the tragedy of *Pedrogão Grande*. Joining the President of the Parliament solidarity gesture, the Ombudsman honored, with a minute's silence, the fire victims.

The Portuguese Ombudsman as the National Preventive Mechanism

Visits

The *National Preventive Mechanism* (NPM) made four visits to educational centers and a court.



Recommendations

Within this timeframe were issued two recommendations, one addressed to the Director Manager of the *São José* Psychiatric Clinic (*recommendation 12*) and the other to the President of the Administration of the *Baixo Alentejo* Health Local Unit (*recommendation 13*).

The NPM *recommendation 5*, issued on February 10th about the *Castelo Branco* Prison conditions, was welcomed.

Cooptation procedure for the Advisory Council

The NPM publicized the cooptation procedure for two civil society associations to integrate the Advisory Council. The NPM Advisory Council is a consultative body made up of representatives from the Committee on Constitutional Affairs, Rights, Freedoms and Guarantees, the Superior Councils of the Magistracy, the Public Prosecutor's Office, the Bar, Physicians and Psychologists Association, and by three individuals of high and recognized ethical and civic statutes.

The Ministry of Foreign Affairs and the Portuguese Ombudsman promoted the conference «Convenção das Nações Unidas contra a Tortura e Outras Penas ou Tratamentos Cruéis, Desumanos ou Degradantes: desafios no seu 30.º aniversário»

On June 26th, the Portuguese Ombudsman as NPM promoted, in partnership with the Ministry of Foreign Affairs, the conference



Convenção das Nações Unidas contra a Tortura e Outras Penas ou Tratamentos Cruéis, Desumanos ou



Degradantes: desafios no seu 30.º aniversário at the *Biblioteca da Rainha* in the Ministry of Foreign Affairs in Lisbon. The event's

goal was to promote the debate about torture prevention and the rights protection of persons who are deprived or limited in their freedom. With this initiative was marked the International Day in Support of Victims of Torture.





Training

Participation in the discussion on migrant's administrative detention conditions

On May 31st and June 1st, this body of State participated in the training course regarding the attempt to codify the migrant's administrative detention conditions promoted by the European Union and the Council of Europe in Strasbourg.

The Portuguese Ombudsman received the National Human Rights Commission of Morocco

On June 21st to 23rd the Portuguese Ombudsman, as National Preventive Mechanism, received a delegation from the National Human Rights of Morocco, to hold working meetings, to share the



Portuguese experience in verifying the treatment provided to those who are deprived of their freedom and on the activity of the Portuguese NPM.

Ibero-American Federation of Ombudsman (FIO)

The Portuguese Ombudsman chairs the FIO's Rector Council meeting

The Portuguese Ombudsman, as the President of the Ibero-American Ombudsman Federation, presided, on May 22nd the meeting of the Rector Council, in Mexico City.

The Portuguese Ombudsman in his capacity as President of FIO participated in the Second Ibero-American Summit «Migración y Derechos Humanos – una nueva mirada»

On May 23rd and 24th, the Ombudsman, as President of the Iberoamerican Federation of Ombudsman (FIO), participated in the *Segunda Cumbre Iberoamericana Migración y Derechos Humanos – una nueva mirada* in Mexico City. This conference was an important opportunity for discussion and reflection on the rights of migrants.



This event was organized by one of the thematic networks of FIO, the *Red sobre Migrantes y Trata de Personas* and the National Human Rights Commission of Mexico, with the collaboration of the German Cooperation Agency ProFIO (GIZ).



International Seminar

On June 1st and 2nd, this body of State participated in the international seminar *Derecho a la ciudad y sustentabilidad. Experiencias y perspectivas de las instituciones defensoras de los DD.HH.*, promoted by the *Defensoria del Vecino* and by the Latin American Ombudsman Institute - *Defensor del Pueblo*, in Montevideo.

International cooperation activities

The Portuguese Ombudsman received the delegation from Georgia's Ombudsman

This body of State, within the framework of its institutional cooperation, received a delegation from Georgia's Ombudsman, on May 24th. This meeting aimed at sharing the Portuguese experience in dealing with questions relating to the promotion and protection of the rights of migrants and asylum seekers.



Twinning Project

This body of State, between May 28th and June 3rd, participated in the *Twinning Project* in Baku, no Azerbaijan. Toward a more efficient administration, this activity was specially oriented to train workers that answer the phone lines and process the complaints.

The Portuguese Ombudsman received the delegation of the Republic of South Korea

On June 6th, this body of State received a delegation from the government of the *Gyeonggi-do* province of the Republic of South Korea as part of a study visit to some European bodies of State to learn about their good practices regarding the advanced auditing and benchmarking techniques.

During this visit, this body of State divulged its activity in promoting and defending citizens' fundamental rights.





The Portuguese Ombudsman received the delegation from State Migration Service of Armenia

This body of State received from 5th to 9th of June a delegation from the State Migration Service of Armenia under the program *TAIEX*: «Study visit on integration of Refugees and Long-term Migrants».

The purpose of this visit was to share the Portuguese good practices regarding the integration of refugees and migrants, as well as to know the activity of promotion and protection of the rights of those persons developed by the Portuguese Ombudsman.

European Network of Ombudsman

On the 19th and 20th of June, the Portuguese Ombudsman took part in the conference of the European Network of Ombudsmen organized by the

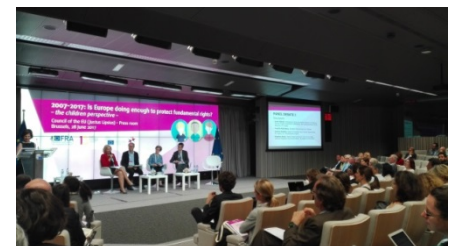


European Ombudsman in Brussels. In this

conference several topics were discussed, namely, «Populism in the EU», «Brexit: EU citizens' rights», «Open government survey», «New policies & challenges for Ombudsmen» and several workshops.

European Union Agency for Fundamental Rights

On the 28th of June, this body of State participated in the symposium «2007-2017: Is Europe doing enough to protect fundamental rights?», promoted by the European Union Agency for Fundamental Rights, in cooperation with the Maltese



Presidency of the Council of Europe, in Strasbourg. In this event the following topics were discussed: migration and asylum, (in)security and fear.

Portuguese Ombudsman participations

The Portuguese Ombudsman participated in the Military Ceremony of the 106th National Republican Guard

The Portuguese Ombudsman, on May 3rd, took part of the military ceremony of the 106th National Republican Guard, presided by the President of the Republic, in Lisbon.



The Portuguese Ombudsman participated in the Language and Culture Day in the Portuguese Speaking Countries Community

On May 9th, this body of State participates in the solemn session *Políticas Culturais e Economia do Audiovisual na CPLP*, commemorating the date May 5th- Language and Culture Day in the Portuguese Speaking Countries Community, in Lisbon.

The Portuguese Ombudsman participated in the Europe Day commemorative ceremony

On May 9th, this body of State was present in the Europe Day commemorative ceremony at the *Palácio Nacional de Mafra*.

The Portuguese Ombudsman participated in the conference closing ceremony «Um pacto para a Justiça Fiscal»

The Portuguese Ombudsman, on May 9th, took part as speaker in the conference closing ceremony entitled *Um pacto para a Justiça Fiscal* at the Law School of the *Universidade Nova de Lisboa*.

The Portuguese Ombudsman participated in the 5th Conference of the China's Great Conferences Cycle

On May 11th, this body of State was present in the 5th Conference of the China's Great Conferences Cycle entitled *A importância do intercâmbio cultural nas relações Sino-Portuguesas*, at the Scientific and Cultural Centre of Macao, in Lisbon.

The Portuguese Ombudsman participated in the work «Deficientes das Forças Armadas – a geração da rutura» presentation

The Portuguese Ombudsman, on May 30th, took part in the work *Deficientes das Forças Armadas – a geração da rutura* presentation session presided by the President of the Republic at the Association of Disabled Armed Forces national headquarters, in Lisbon.

The Portuguese Ombudsman promoted the conference «As prisões e o século XXI»

The Portuguese Ombudsman, on June 7th, promoted the conference *As prisões e o século XXI* with the Calouste Gulbenkian Foundation support, in Lisbon. With this event was intended to promote an open and participated dialogue about the penitentiary universe.





This initiative had the presence of the President of the Supreme Court, the Attorney General, the President of the Bar Association and a Minister of Justice Adviser.

The Portuguese Ombudsman participated in the seminar «Migração e Saúde»

On June 8th, this body of State was present at the seminar *Migração e Saúde*, promoted by the *Instituto de Higiene e Medicina Tropical* of the , by the *NOVA Saúde*, by the Calouste Gulbenkian Foundation and by the *Norwegian Institute of Public Health* at the Calouste Gulbenkian Foundation, in Lisbon.

The Portuguese Ombudsman attended the commemorative concert and dinner of the Day of Portugal

On June 9th, the Portuguese Ombudsman participated in the commemorative concert and dinner in honor of the Day of Portugal, Camões and the Portuguese Communities at the Oporto *Sé*.

The Portuguese Ombudsman participated in the commemorative Military Ceremony of the Day of Portugal

On June 10th, the Portuguese Ombudsman took part of the commemorative Military Ceremony of the Day of Portugal, Camões and the Portuguese Communities, held in Oporto.

Other activities

Interviews

On May 4th the Portuguese Ombudsman was interviewed by *Agência Lusa*.

Within the scope of the *As prisões e o século XXI* conference, the Portuguese Ombudsman made some statements that can be seen [here](#).

On June 24th and 25th was [transmitted](#) and published an interview given by the Portuguese Ombudsman to the *Conversa Capital* radio program and to the *Jornal de Negócios*.



THE PORTUGUESE OMBUDSMAN
In the defense of citizen's rights.

Publicações recentes

Article published in *Diário de Notícias*, entitled *Um direito fundamental: o direito a ser velho de ser inteiro*

Article published in *Diário de Notícias*, entitled *Aos nossos maiores que a consagraram e aos vindouros para que a preservem. Sempre*

Visit report to the Oporto Prison

Visit report to the Pinheiro da Cruz Prison

Visit report to the São João de Deus Prison

Visit report to the Tomar Military Prison



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Children's hotline 800 206 656

Senior citizen hotline 800 203 531

People with disabilities hotline 800 208 462

[Portuguese Ombudsman Facebook Page](#)



O PROVIDOR DE JUSTIÇA

Na defesa do Cidadão: perceber para prover.